

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEMETRIUS L. COOPER,

Plaintiff,

v.

ORDER

JEFFREY MEYER, PATRICK GORMAN,
and CORY SABISH,

16-cv-526-jdp

Defendants.

The court previously granted pro se plaintiff Demetrius Cooper leave to proceed with claims under the First and Eighth Amendments against defendants Sergeant Meyer, Officer Gorman, and Captain Sabish of the Waupun Correctional Institution. Dkt. 34. That same day, via electronic notification, the court sent the office of the Attorney General a copy of the April 20 order and ordered defendants to answer plaintiff's amended complaint by May 11, 2017. On May 10, 2017, the Attorney General filed an answer on behalf of the defendants. Dkt. 42. Now plaintiff has filed a declaration for entry of default pursuant to Fed. R. Civ. P. 55(a). Dkt. 59.

In support of his motion, plaintiff argues that defendants are in default because they failed to file an answer on or before May 11, 2017, and failed to file or provide plaintiff with a copy of the renumbered complaint. Defendants met that deadline by filing an answer on May 10, 2017. Dkt. 42. Additionally, along with their answer defendants filed a copy of the renumbered complaint. *See* Dkt. 42-1. Therefore, plaintiff's motion for entry of default must be denied.

ORDER

IT IS ORDERED that plaintiff Demetrius Cooper's request for entry of default, Dkt. 59, is DENIED.

Entered this 16th day of June, 2017.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge